



Fw: Mesa Dunes Mobile Home Park Conversion

Board of Supervisors to: BOS_Legislative Assistants,
cr_board_clerk Clerk Recorder

01/31/2014 02:01 PM

Sent by: **Cytasha Campa**

Feb 4 agenda

----- Forwarded by Cytasha Campa/BOS/COSLO on 01/31/2014 02:01 PM -----

From: Inky and Kris <InkyandKris@gmail.com>
To: boardofsups@co.slo.ca.us
Date: 01/31/2014 11:34 AM
Subject: Mesa Dunes Mobile Home Park Conversion

To the Board of Supervisors,

I am unable to attend the upcoming meeting on February 4, 2014, regarding the conversion at Mesa Dunes, however, I do want you to know how I feel so that my opinion can be counted in support of the conversion.

I am a resident at Mesa Dunes for the past 7 years, and I support the Conversion and NO new survey. I do not want the opportunity to own my lot taken away from me.

I believe that the conversion will benefit many residents and deserves to go to the next step. The survey was already taken by the owner's attorney firm and was approved by the HOA prior to being sent, following the law. A new survey will change nothing and only serve to confuse and waste time and money.

Please approve the Mesa Dunes Application now!

Thank you,

Gregory Kristian Wine



Fw: Mesa Dunes Mobile Home Park Conversion

Board of Supervisors to: BOS_Legislative Assistants,
cr_board_clerk Clerk Recorder

01/31/2014 02:01 PM

Sent by: **Cytasha Campa**

On Feb 4 agenda

----- Forwarded by Cytasha Campa/BOS/COSLO on 01/31/2014 02:01 PM -----

From: Prado Wine <pradowine@gmail.com>
To: boardofsups@co.slo.ca.us
Date: 01/31/2014 11:32 AM
Subject: Mesa Dunes Mobile Home Park Conversion

To the Board of Supervisors,

I am unable to attend the upcoming meeting on February 4, 2014, regarding the conversion at Mesa Dunes, however, I do want you to know how I feel so that my opinion can be counted in support of the conversion.

I am a resident at Mesa Dunes for the past 7 years, and I support the Conversion and NO new survey. I do not want the opportunity to own my lot taken away from me.

I believe that the conversion will benefit many residents and deserves to go to the next step. The survey was already taken by the owner's attorney firm and was approved by the HOA prior to being sent, following the law. A new survey will change nothing and only serve to confuse and waste time and money.

Please approve the Mesa Dunes Application now!

Thank you,

Cecilia E. Prado



Fw: Mesa Dunes letter from owner , 1/28/14

Board of Supervisors to: BOS_Legislative Assistants,
cr_board_clerk Clerk Recorder

01/31/2014 02:02 PM

Sent by: **Cytasha Campa**

On Feb 4 agenda

----- Forwarded by Cytasha Campa/BOS/COSLO on 01/31/2014 02:02 PM -----

From: Sharon Nelson <lazydayz@att.net>
To: "boardofsup@co.slo.ca.us" <boardofsup@co.slo.ca.us>
Date: 01/31/2014 10:51 AM
Subject: Re: Mesa Dunes letter from owner, 1/28/14

I don't believe the owners have all the information from their legal team to make the statement that the HOA has refused to discuss or tell them what we want. I am a board member and I have attended all of Susy Forbath's meetings (so have all the board members) and we have told her what we want, over and over again. We have been very vocal in our concerns and wants. She knows what we want. Why hasn't she relayed this information to the owners? Also, their comments of "the majority of you are supportive" and "many of you would like the opportunity to buy" is simply not true, even based on their numbers of 99 for the conversion. As board members we did our homework, gathered information and canvassed the park to talk to the residents about the conversion. Of the 99, 42 residents want to recant their vote. When you are informed with the real facts, it's evident the survey is not a simply vote. Also within the 99 (yes, I want to convert BUT) they included residents who would need financial assistance thru MPROR. I called Nancy Mee at MPROR and she said we would be lucky to receive \$20K each and that is after 51% of the lots have sold. How is that going to help when the land will be in the \$175L - \$225K range. This was deceptive hope to the residents who need help. We don't even know for sure what the survey results really were because THEY received the survey not an independent party as required by law. Please Support us in requiring a new survey based on the California Government Code 66427.5.

Thank you,

Sharon Nelson



owner's ltr.png

Other Residents

As a resident of West County you are aware that, as the owners of the property, we have a bonded community that we are proud to own, and where you are pleased to live.

We know that we have proposed the subdivision of West County, which would enable us to offer ownership of the entire West County and would give the opportunity to purchase West Co. Selling the property is not something we have to do, it is something we are offering to do.

We conducted a survey of residents last summer and the results of that survey indicated that many of you would like the opportunity. However, we didn't stop there. In reviewing the survey results and seeing some negative support for the subdivision but would likely continue to live, we also wanted to ensure that there would be adequate wet protection after the conversion so that all residents could be secure and happy with the process.

We hired an experienced law firm to guide the legal process and provide you with information to help you understand and answer questions. We reached out to residents through multiple meetings held by Tracy Foytich from the law firm, Emily Kuhn, District Team lead management consulting, to get an understanding of your concerns and how we could make the conversion successful for all. We have taken suggestions from a West County resident group, Residents for a Cooperative Conversion, and implemented them by including hereditary riparian and protections for wetlands – far beyond those required by state law.

Our goal was to have more than adequate protection and benefits in place so that everyone has the option to live but not the obligation, make all have better wet protection than they have today, and everyone will have the right to continue on their land. A win-win-win.

We have assumed ideas from several sources. Clearly, the only place from which we have had no suggestions is input on the conversion itself has come from the West County PCA.

In taking open to suggestions, our representatives have reached out to the community. The PCA has openly and actively opposed the conversion, and refused to meet with us. The County Supervisor, Carol Ray, also tried to coordinate a meeting between our representatives and the office of the County Supervisor, Carol Ray, but they refused. The office of the County Supervisor, Carol Ray, also refused to meet with us.



Fw: Mesa Dunes Mobilehome Park Conversion

Board of Supervisors to: BOS_Legislative Assistants,
cr_board_clerk Clerk Recorder

01/31/2014 02:26 PM

Sent by: **Cytasha Campa**

On Feb 4 agenda

----- Forwarded by Cytasha Campa/BOS/COSLO on 01/31/2014 02:26 PM -----

From: Ronald Doan <rdoan@aol.com>
To: BoardofSuprs@co.slo.ca.us
Date: 01/31/2014 02:24 PM
Subject: Mesa Dunes Mobilehome Park Conversion

I am a resident at Mesa Dunes and I SUPPORT the conversion and NO NEW SURVEY. Approve the Mesa Dunes application without further delay. The longer the process takes, the more costly lots will be and the more residents priced out of ownership of prime central California real estate.

Our HOA Board is a joke. One or two bullies began a campaign of intimidation as soon as the conversion was announced in June, 2013. Three board members immediately resigned and were immediately replaced by residents "friendly" to the bullies. There was absolutely NO NOTIFICATION to the residents or to the full membership of the Homeowners Association. Since then, two additional board members have resigned with the same results. Out of nine board members, five have been replaced without any notification to the full community. THEY HAVE STACKED THE DECK!! In addition, although elections are due this month, the Board has decided to keep the current board together in order to insure there is no dissenting voice heard by the Board of Supervisors. Mesa Dunes board does not represent the residents.

Ron Doan



Fw: I am a 15 year resident of Mesa Dunes . I support the conversion and no new survey. Please approve the conversion .

Board of Supervisors to: BOS_Legislative Assistants,
cr_board_clerk Clerk Recorder

01/31/2014 02:30 PM

Sent by: **Cytasha Campa**

On Feb 4 agenda

----- Forwarded by Cytasha Campa/BOS/COSLO on 01/31/2014 02:26 PM -----

From: Dennis Boyles <dennis@anderson-burton.com>
To: "BoardofSups@co.slo.ca.us" <BoardofSups@co.slo.ca.us>
Date: 01/31/2014 02:15 PM
Subject: I am a 15 year resident of Mesa Dunes. I support the conversion and no new survey. Please approve the conversion.

Sent from my iPhone



Fw: Mesa Dunes Mobile Home Park Conversion

Board of Supervisors to: BOS_Legislative Assistants,
cr_board_clerk Clerk Recorder

01/31/2014 02:30 PM

Sent by: **Cytasha Campa**

On Feb 4 agenda

----- Forwarded by Cytasha Campa/BOS/COSLO on 01/31/2014 02:30 PM -----

From: slacabe@aol.com
To: BoardofSups@co.slo.ca.us
Date: 01/31/2014 01:59 PM
Subject: Mesa Dunes Mobile Home Park Conversion

To whom It May concern,

I am a resident of Mesa Dunes M.H. Park and support the conversion. In the long run it will benefit everyone. As "real" real estate loans will be much easier to get and interest rates will be affordable. (I was paying 7.75% on my mortgage in Santa Barbara and felt lucky.) While my income may not allow me to purchase my land I want the advantage for others as I know how important it is both financially and emotionally.

The survey taken by the owner has been challenged in every way possible and even called illegal. However it is a form that is used widely at the Federal level (H.U.D.) and should stand as taken. To do another survey will produce no clearer results than the one we already have. Too much misunderstanding, gossip and rancor have erased any possibility of a new survey being better understood than the original.

Property prices are on the rise and with it higher prices for the land being offered. It is time to move forward with this process for all concerned. I urge you to approve the survey as it stands and let park owner continue with his plans for us.

Sincerely,
Sue LaCabe
Resident



Fw: Mesa Dunes Mobilehome Park Conversion

Board of Supervisors to: BOS_Legislative Assistants,
cr_board_clerk Clerk Recorder

01/31/2014 03:15 PM

Sent by: **Cytasha Campa**

On Feb 4 agenda

----- Forwarded by Cytasha Campa/BOS/COSLO on 01/31/2014 03:15 PM -----

From: Donnie <grandmadonnie1@aim.com>
To: BoardofSups@co.slo.ca.us
Date: 01/31/2014 03:14 PM
Subject: Mesa Dunes Mobilehome Park Conversion

Donnie
grandmadonnie1@aim.com

I am a resident at Mesa Dunes and I support the conversion. I see no need for a new survey. We are concerned about the delay to process our application as prices will continue to rise. This property sits on prime sites, as the ocean is within a mile and very desirable for weather and water sports.

I believe the dissension between the HOA and the community as a whole has put a dark cloud over this conversion. There is no reason to delay the process for those of us interested in purchasing the lot. Others can continue to pay rent if that economically is the answer.

Please put this conversion on a priority basis.

Thank you.

Donelle Doan.



Fw: MESA DUNES MOBILHOME PARK CONVERSION

Board of Supervisors to: BOS_Legislative Assistants,
cr_board_clerk Clerk Recorder

01/31/2014 04:00 PM

Sent by: **Cytasha Campa**

On Feb 4 agenda

----- Forwarded by Cytasha Campa/BOS/COSLO on 01/31/2014 04:00 PM -----

From: JHilton <jhhilton@pacbell.net>
To: "boardofsups@co.slo.ca.us" <boardofsups@co.slo.ca.us>
Cc: "mcmahanfe@att.net" <mcmahanfe@att.net>
Date: 01/31/2014 03:59 PM
Subject: MESA DUNES MOBILHOME PARK CONVERSION

SLO COUNTY BOARD OF SUPERVISORS
HEARING DATE: TUESDAY FEBRUARY 4, 2014

I will not be able to attend the scheduled hearing but I would like to submit my attached letter for the Supervisors consideration.

Thank you,
James H. Hilton



Arroyo Grande Mesa Dunes-County Sups 2014-01-29.doc

From:
James and Erna Hilton

January 30, 2014

To:
SLO County Board of Supervisors
1055 Monterey Street, Room D430
San Luis Obispo, CA 93408

Re: MESA DUNES MOBILHOME PARK Conversion to Resident Ownership

Hearing Date: Tuesday February 4, 2014

My wife and I are residents of the Mesa Dunes Mobilhome Park on the Nipomo Mesa. Last June we were asked by the park owners representatives to respond to a survey asking if we were for or against the proposed conversion. At the time the survey was said to be only a formality and if we were unsure of our decision we should vote YES in order to allow the process to proceed for those who may want to purchase their lots. My wife and I were not sure if we wanted to purchase our lot but we voted YES under those circumstances. Since then we have learned much more about the process and the possible outcomes and we wish to **RECIND our YES vote and make it a NO vote.**

Before we moved into Mesa Dunes Mobilehome Park we had looked at several other mobilehome parks including one that was resident owned, but we could not afford the purchase price of the resident owned units. We felt very fortunate that we could manage to buy the unit in Mesa Dunes where we now live but if the price had been \$100,000 or more higher, we would not have been able to live here.

There are few options for affordable housing in this area and I believe our experience is shared by many of the residents now living in Mesa Dunes. In the four years we have lived here we have met many of the residents, some of who (like us) had to downsize from a larger home, some are invalids and many are over retirement age (even if they have to work to pay their rent – me included). Several homes have been abandoned or sold by the bank because the resident couldn't afford to live here.

Our current rent is almost \$1,000 per month which we can barely afford as it is. If we were interested in buying the 18 inches of sand under our home I doubt any lender would qualify us for such a loan besides which we would not want to encumber ourselves any more than we are already. In a few months I will turn 80 years old and this is not the time in my life to take out another big loan that we will never live to repay.

I strongly request that you reject the survey that was taken last June and let the residents take a new survey (based on the added knowledge that they have gained since that time) AND have it returned to an independent third party for counting.

cc: Mesa Dunes Home Owners Association



Fw: Mesa Dunes Mobilehome Park Conversion

Board of Supervisors to: BOS_Legislative Assistants,
cr_board_clerk Clerk Recorder

01/31/2014 04:00 PM

Sent by: **Cytasha Campa**

On Feb 4 agenda

----- Forwarded by Cytasha Campa/BOS/COSLO on 01/31/2014 04:00 PM -----

From: Joyce Wycoff <jwycoff@me.com>
To: BoardofSup@co.slo.ca.us
Date: 01/31/2014 03:55 PM
Subject: Mesa Dunes Mobilehome Park Conversion

I am a resident of Mesa Dunes MHP and I support the Conversion and NO new survey. Please approve the Mesa Dunes Application now!

Negotiation is the next step ... not a new survey: I am also the chair of a group of residents that formed because we saw the potential benefits of conversion ... and also saw the opening for negotiating some better terms that would benefit all residents. We were asked to submit our top two requests rather than the entire list because the owners wanted to give the HOA Board a chance to submit their requests. Our two requests were approved ... a cap on space rent for seniors over 80 and a credit for space rent to be applied to the purchase price for residents who want to buy their lots. Both of these requests came from discussions with residents.

The HOA Board has crafted fear and confusion: The HOA Board held several meetings in the park but still has yet to submit their requests and ideas for how to make the conversion better. Instead, they have used their position of leadership to spread documentably untrue facts designed to create fear and confusion among the park residents ... especially the elderly and the least experienced in real estate transactions within the park. This is unkind, unfair and unacceptable.

The HOA Board does not represent the majority of residents: It's impossible to tell how many residents actually are members of the HOA or support its actions. However, the last HOA meeting only had about 25 attendees and several of those ... including myself ... were there to try to counterbalance the misinformation that always comes out of those meetings. Their claim to represent the majority of the park needs to be taken with a large dose of skepticism.

We want more negotiation: My group wants the opportunity to submit the rest of our list because, through extensive research with other parks who have done successful ... and sometimes botched ... conversions, we know exactly what it will take to guarantee that no one can possibly get hurt in this *optional* real estate transaction. I have already discussed the two main items that this conversion needs to be a win-win for everyone involved and the owners' representative has indicated that if we don't get tied up in court, those will most likely be approved. For that to happen, we need to go to the next step ... and avoid the needless step of a new survey.

We need your help: Please help us stop this request for a new survey, which is simply a bullying tactic by the HOA Board and their lawyer to stop the conversion and put themselves in a position of power (or so they think) to create a new, different conversion. The owners do not *have* to sell the park and the last people they would likely want to deal with are people known for their willingness to spread untruths. The HOA Board has lied repeatedly ... and in such a

fashion that their lies can be documented.

Please help us stop these bullies. No new survey please!

Mesa Dunes Residents for a Collaborative Conversion

Joyce Wycoff,

Mesa Dunes Conversion blog: <http://mesadunesconversion.blogspot.com/>

Facebook: <https://www.facebook.com/mesadunesconversion>



Fw: Mesa Dunes

Board of Supervisors to: BOS_Legislative Assistants,
cr_board_clerk Clerk Recorder

01/31/2014 04:01 PM

Sent by: **Cytasha Campa**

On Feb 4 agenda

----- Forwarded by Cytasha Campa/BOS/COSLO on 01/31/2014 04:00 PM -----

From: Chris Burciaga <chrisburciaga@gmail.com>
To: boardofsups@co.slo.ca.us
Date: 01/31/2014 03:51 PM
Subject: Fwd: Mesa Dunes

Begin forwarded message:

From: Chris Burciaga <chrisburciaga@gmail.com>
Subject: Mesa Dunes
Date: January 31, 2014 10:35:39 AM PST
To: "<boardofsups.co.slo.ca.us>" <boardofsups.co.slo.ca.us>
Dear Board,

I am a Mesa Dunes resident and will be attending the Board of Supervisors meeting on February 4th when the Board will hear an appeal from the Mesa Dunes' attorney regarding another resident survey being needed for subdivision park conversion. I am in favor of Mesa Dunes conducting a new survey approved by the Mesa Dunes HOA and one that would provide a fair amount of participation by the park's residents. The last unapproved survey had minimal participation.

Please support the SLO County Planning Department's decision requiring a complete and resident supported survey that would be returned to an independent 3rd party.

Thank you,

Sincerely,

Christopher Burciaga



Fw: MESA DUNES MOBILE HOME PARK CONVERSION

Board of Supervisors to: BOS_Legislative Assistants,
cr_board_clerk Clerk Recorder

01/31/2014 04:02 PM

Sent by: **Cytasha Campa**

On Feb 4 agenda

----- Forwarded by Cytasha Campa/BOS/COSLO on 01/31/2014 04:02 PM -----

From: Ronald Doan <rdoan@aol.com>
To: boardofsups@co.slo.ca.us
Date: 01/31/2014 04:01 PM
Subject: MESA DUNES MOBILE HOME PARK CONVERSION

I support the conversion at the above mobile park. I am 93 years old and dictating this to my son who also supports the conversion. We have already completed a survey months ago. The Homeowners Association Board approved the survey prior to it being sent to us. Why is there the possibility of another one? The survey has already been voted on favorably by the residents. Let's move on!

Margaret Colleen Doan



Fw: Mesa Dunes Conversion

Board of Supervisors to: BOS_Legislative Assistants,
cr_board_clerk Clerk Recorder

01/31/2014 04:46 PM

Sent by: **Cytasha Campa**

On Feb 4 agenda

----- Forwarded by Cytasha Campa/BOS/COSLO on 01/31/2014 04:45 PM -----

From: Cynthia Winstead <kilurant@gmail.com>
To: BoardofSup@co.slo.ca.us
Date: 01/31/2014 04:44 PM
Subject: Mesa Dunes Conversion

As a resident of Mesa Dunes Mobile Park, I implore you to allow the process for conversion to continue. The survey we turned in was very straightforward and it's just not necessary to take another.

I'm not planning on purchasing my lot, but still support the conversion 100%. The owner has been completely transparent about how the conversion will and will not affect both buyers and those who continue to lease. In fact they have incorporated into the conversion, safeguards for those of us who are in the low-income bracket, and for those over eighty years old.

Mesa Dunes is a beautiful park and I love living here. It is (was) a peaceful and serene community until the HOA disgruntled few began to throw temper tantrums and spread false information throughout the park. They have caused much turmoil and fear in some residents. From my understanding they have refused to meet with the owners and their attorneys to discuss their issues. Why? I have to assume it's because their rejection of the conversion has no legitimate basis.

I urge you to support the majority of Mesa Dunes residents and permit this conversion to continue in a timely manner. Thank you for your time.

Cynthia Winstead

4 year resident



Fw: Mesa Dunes Mobilehome Park Conversion

Board of Supervisors to: BOS_Legislative Assistants,
cr_board_clerk Clerk Recorder

01/31/2014 04:46 PM

Sent by: **Cytasha Campa**

On Feb 4 agenda

----- Forwarded by Cytasha Campa/BOS/COSLO on 01/31/2014 04:46 PM -----

From: lloyd boyd <lwboyd62@hotmail.com>
To: "BoardofSups@co.slo.ca.us" <boardofsups@co.slo.ca.us>
Date: 01/31/2014 04:37 PM
Subject: Mesa Dunes Mobilehome Park Conversion

My husband and myself have been residence for six (6) years and we DO support the Conversion and No new survey. Please approve the Mesa Dunes Application now!

The so called HOA Board has attempted to place fear and has done nothing but bully everyone in the park. We would like the chance to make up our own minds. We believe this survey has been handled correctly and deserves to go to the next step of the process not to be tied up in court for years.

Thank you

Mr. & Mrs. L.W. Boyd



Fw: I am a resident of Mesa Dunes Park . I am in favor of the conversion and hope you will vote to support the majority and not recommend to revisit a legitimate survey .

Board of Supervisors to: BOS_Legislative Assistants,
cr_board_clerk Clerk Recorder

02/03/2014 08:13 AM

Sent by: **Cytasha Campa**

On Feb 4 agenda

----- Forwarded by Cytasha Campa/BOS/COSLO on 02/03/2014 08:12 AM -----

From: Kandra Norsigian <kandra@kandrasbeads.com>
To: "BoardofSups@co.slo.ca.us" <BoardofSups@co.slo.ca.us>
Date: 01/31/2014 07:26 PM
Subject: I am a resident of Mesa Dunes Park. I am in favor of the conversion and hope you will vote to support the majority and not recommend to revisit a legitimate survey.

Sent from my iPhone



Fw: Mesa Dunes Mobilehome Park Conversion

Board of Supervisors to: BOS_Legislative Assistants,
cr_board_clerk Clerk Recorder

02/03/2014 08:13 AM

Sent by: **Cytasha Campa**

On Feb 4 agenda

----- Forwarded by Cytasha Campa/BOS/COSLO on 02/03/2014 08:13 AM -----

From: Ronald Doan <rdoan@aol.com>
To: boardofsups@co.slo.ca.us
Date: 02/01/2014 07:36 AM
Subject: Mesa Dunes Mobilehome Park Conversion

Please open the attached file regarding the above.



Ronald Doan RON'S SPEECH.doc

ADD ON THOUGHTS:

READ “PEOPLE ARE SELLING IN DROVES”. LOOKED AROUND AND NOTED PEOPLE ARE ALSO BUYING IN DROVES THEN. OBVIOUSLY AWARE OF THE POSSIBLE COVERSON. THEY SEE AN OPPORTUNITY TO PROFIT.

THE “PROCESS” IS THERE TO PROTECT THE RESIDENTS!! ONE OF THE PROTECTIONS THAT IT OFFERS SHOULD BE CLEARLY NOTED: IT TAKES A LONG TIME. THEREBY GIVING ANYONE WHO IS AGAINST THE CONVERSION TIME TO SELL THEIR PLACE AND GET OUT BEFORE THE SO CALLED CATASTROPHY OF CONVERSION TAKES PLACE!! THERE IS NO ANCHOR AROUND THEIR NECKS. DON’T TRY TO TAKE THE OPPORTUNITY AWAY FROM THOSE OF US WHO WANT TO OWN THE LAND? I SAY TO THEM, JUST HANG UP A FOR SALE SIGN AND MOVE ON!!

MY NAME IS RON DOAN, I AM A RESIDENT OF MESA DUNES MOBILE HOME PARK AND A MEMBER OF THE CLUB THAT CALLS THEMSELVES THE “HOMEOWNERS ASSOCIATION”.

TONIGHT MY COMMENTS ARE CENTERED ON THE VALIDITY OF THE “HOMEOWNERS ASSOCIATION” AND THE VALIDITY OF 18 INCHES OF DIRT UNDER MY MOBILE.

REGARDING MESA DUNES “HOMEOWNER ASSOCIATION”--THIS SIMPLY A CLUB THAT DOES NOT REPRESENT ME IN ANY WAY. I HAVE NEVER BEEN OFFERED AN OPPORTUNITY TO VOTE ON ANY BOARD MEMBER POSITION, NOR ANY ITEM OF BUSINESS THE BOARD CONSIDERS. NOR HAVE I SEEN PUBLISHED MINUTES OF ANY OF THEIR MONTHLY MEETINGS.

AS A FURTHER EXAMPLE, SINCE THE PROPOSED CONVERSION WAS ANNOUNCED IN JUNE, NO LESS THAN 4 MEMBERS OF THE 9 MEMBER BOARD HAVE

RESIGNED. THEIR REPLACEMENTS WERE APPOINTED WITHOUT ANY NOTIFICATION TO THE RESIDENTS OR TO MEMBERS LIKE ME. OBVIOUSLY ONLY THOSE WHO SHARE THE MCALISTER CLUB POSITION REGARDING THE CONVERSION WERE APPOINTED.

THIS IS NOT WHAT I WOULD CALL A LEGITIMATE HOMEOWNERS ASSOCIATION. CERTAINLY NOT TO THE STANDARDS REQUIRED BY THE DAVIS/STERLING ACT ONCE THE CONVERSION IS APPROVED.

I AM IN FAVOR OF THIS PROPOSED CONVERSION. WE ARE AN ALL AGE PARK. MANY HAVE LIVED HERE FOR 20 TO 30 YEARS. DURING THAT TIME THE OWNER HAS CREATED A BEAUTIFUL PLACE FOR US TO LIVE.

AND FINALLY, AS A RECENTLY RETIRED COUPLE, MY WIFE AND I SHARE A CONCERN OF MOST RETIRED COUPLES---WE DO NOT WANT TO OUTLIVE OUR MONEY.

MOBILE HOMES DEPRECIATE IN VALUE. HOWEVER, THE LAND UNDER THE MOBILE HAS AN EXCELLENT CHANCE TO APPRECIATE IN VALUE AS DOES THE ENTIRE 50 ACRE PARK PARCEL. I WANT THE OPPORTUNITY TO SHARE IN THE APPRECIATION OF 50 ACRES OF PRIME HILLSIDE OCEAN VIEW LAND.

THIS 50 ACRE PARCEL ON THE MESA HAS VIEWS OF THE CROPS BELOW, THE DUNES, THE OCEAN WATER AND AT NIGHT THE BEAUTIFUL TWINKLING LIGHTS

OF AVILA BEACH. THIS IS NOT JUST 18 INCHES OF DIRT UNDER A MOBILE AS KATHY MCCALISTER SHOUTED OUT DURING A RECENT HOMEOWNERS MEETING. WE WOULD BE PARTIAL OWNERS OF THE ENTIRE 50 ACRE PARCEL AND ALL THE CAPITAL IMPROVEMENTS IN ADDITION TO OUR INDIVIDUAL LOT.

HAVING AN APPRECIATING ASSET WOULD HELP US INSURE THAT WE DO NOT HAVE TO RELY ON THE SAN LUIS OBISPO COUNTY WELFARE WAGON IN OUR FINAL YEARS.

THANK YOU. GOD BLESS. I PRAY YOU MOVE THIS ISSUE FORWARD WITH A POSITIVE RECOMMENDATION FOR CONVERSION.



Fw: Mesa Dunes Possible Conversion

Board of Supervisors to: BOS_Legislative Assistants,
cr_board_clerk Clerk Recorder

02/03/2014 08:13 AM

Sent by: **Cytasha Campa**

On Feb 4 agenda

----- Forwarded by Cytasha Campa/BOS/COSLO on 02/03/2014 08:13 AM -----

From: Gary Grasmick <gcgrasmick@yahoo.com>
To: "BoardofSups@co.slo.ca.us" <BoardofSups@co.slo.ca.us>
Date: 02/01/2014 09:43 AM
Subject: Mesa Dunes Possible Conversion

We purchased our mobile home about 6 months ago in Mesa Dunes. I would like to say I support the conversion but must say that I don't support the conversion. Everybody knows how ownership is a good thing. What everybody fails to acknowledge is the fact that ownership is only a good thing when the majority can afford it. The facts remain that residents have been bullied by certain parties into believing that ownership must happen at Any Price ! Why are so many afraid of a new survey ? It would seem to me a new survey with the Proper Questions would be helpful to all parties . i.e., What would be the price for our lots ? Why is this such a hard question. The owners Absolutely did not enter into this idea without having some idea of what they thought they my get or ask for their properties, yet they refuse to give us any idea of a Price Range whatsoever! Please ! Did you ever consider buying a home without knowing a price ? Of course not ! At this time I can only say that a new survey is what is called for. Now, let me be very clear that I am Not for the conversion at this time !

consideration,

Thank You for your

Gary Grasmick & Suzanne
Mesa Dunes Resident



Fw: Mesa Dunes Mobilehome Park Conversion

Board of Supervisors to: BOS_Legislative Assistants,
cr_board_clerk Clerk Recorder

02/03/2014 08:13 AM

Sent by: **Cytasha Campa**

On Feb 4 agenda

----- Forwarded by Cytasha Campa/BOS/COSLO on 02/03/2014 08:13 AM -----

From: Shereen L <shereensl@hotmail.com>
To: "BoardofSups@co.slo.ca.us" <boardofsups@co.slo.ca.us>
Date: 02/01/2014 12:21 PM
Subject: Mesa Dunes Mobilehome Park Conversion

Hello,

I **DO** Support the Conversion and **No new Survey**. Please approve the Mesa Dunes Application now. I am a current resident of Mesa Dunes I live in space 281.

I am a single mother and the only way that I can ensure a future living in the home I have is if the conversion goes through and I am given the option to buy or given rent control. I would appreciate this application being approved sooner rather than later. Time is of the essence here in Mesa Dunes especially with the tenants that are on the higher space rents that increase each year.

If you should have any further questions please feel free to email me @ Shereensl@Hotmail.com or call

Thank you,

Shereen Lang



Fw: Support for Mesa Dunes Conversion Application

Board of Supervisors to: BOS_Legislative Assistants,
cr_board_clerk Clerk Recorder

02/03/2014 08:14 AM

Sent by: **Cytasha Campa**

On Feb 4 agenda

----- Forwarded by Cytasha Campa/BOS/COSLO on 02/03/2014 08:14 AM -----

From: ann silver <annplata@att.net>
To: "BoardofSups@co.slo.ca.us" <BoardofSups@co.slo.ca.us>
Cc: "fmecham@co.slo.ca.us" <fmecham@co.slo.ca.us>, "bgibson@co.slo.ca.us" <bgibson@co.slo.ca.us>, "ahill@co.slo.ca.us" <ahill@co.slo.ca.us>, "cray@co.slo.ca.us" <cray@co.slo.ca.us>, "darnold@co.slo.ca.us" <darnold@co.slo.ca.us>
Date: 02/01/2014 12:34 PM
Subject: Support for Mesa Dunes Conversion Application

I am a 10 year resident of Mesa Dunes and I support the conversion to condominium plan. The resident survey was correctly done and approved by the HOA Board of Directors. Now, the HOA BOD claims they were "tricked!" (Did they keep minutes of that meeting?)

I urge you to allow this subdivision to go forward. Do not be swayed by a loud vocal member of the BOD who, like chicken little, claims "the sky is falling" the "park owner is a cheat" and the survey was "not fair." Hogwash!

My dues go to the HOA to help pay for pancake breakfasts and other social events they hold. THE HOA DOES NOT REPRESENT ME OR ANY OTHER RESIDENT IN LEGAL ISSUES! I deserve the right to choose for myself, not be thwarted by amateurs who try to prevent me from exercising that right.

Please allow this application to go forward. The HOA's biggest and loudest have been good at whipping up a crowd. Unfortunately, it is divisive and the wrong issue!

I gladly will be at the appeals hearing on Tuesday, 02-04-14.

Ann Silver



Fw: Mesa Dunes Mobilhome Park Conversion

Board of Supervisors to: BOS_Legislative Assistants,
cr_board_clerk Clerk Recorder

02/03/2014 08:14 AM

Sent by: **Cytasha Campa**

On Feb 4 agenda

----- Forwarded by Cytasha Campa/BOS/COSLO on 02/03/2014 08:14 AM -----

From: shirlstiles@charter.net
To: BoardofSup@co.slo.ca.us
Date: 02/01/2014 07:04 PM
Subject: Mesa Dunes Mobilhome Park Conversion

I am a resident at Mesa Dunes and I support the conversion and NO new survey. Please approve the Mesa Dunes Application now.

Affordable housing is a national concern and this conversion is a chance for current and future residents to purchase their lots if desired or continue to rent. A faction in our Park has created divisiveness and fear among the residents with totally misleading statements and lies. The National Community Reinvestment Coalition had a program on C-span January 31st discussing the problem and solutions. This conversion will help our community.



Fw: Mesa Dunes Mobilhome Park Conversion

Board of Supervisors to: BOS_Legislative Assistants,
cr_board_clerk Clerk Recorder

02/03/2014 08:15 AM

Sent by: **Cytasha Campa**

On Feb 4 agenda

----- Forwarded by Cytasha Campa/BOS/COSLO on 02/03/2014 08:15 AM -----

From: Mickee Ferrell <mickeeferrell@yahoo.com>
To: "BoardofSups@co.slo.ca.us" <BoardofSups@co.slo.ca.us>
Date: 02/01/2014 10:44 PM
Subject: Mesa Dunes Mobilhome Park Conversion

We support the Conversion and NO new survey. Please approve the Mesa Dunes Application now!

The self-appointed HOA does NOT represent us. They continue to oppose the conversion without giving any reasons or suggestions, and continue to refuse offers of discussion with the park owner's representatives.

We have been residents of Mesa Dunes since 1999 and have always been treated fairly by the park owners and management. The owners have been very informative and receptive to residents' concerns about the conversion. They are offering options to fit every owner's needs, whether their choice would be to buy or continue to rent.

Thank you,
Ron and Mickee Ferrell



Fw: Mesa Dunes Mobile Home Park Conversion Process

Board of Supervisors to: BOS_Legislative Assistants,
cr_board_clerk Clerk Recorder

02/03/2014 08:15 AM

Sent by: **Cytasha Campa**

On Feb 4 agenda

----- Forwarded by Cytasha Campa/BOS/COSLO on 02/03/2014 08:15 AM -----

From: Frances Royster <bonroyst@mac.com>
To: BoardofSups@co.slo.ca.us
Date: 02/02/2014 09:21 AM
Subject: Mesa Dunes Mobile Home Park Conversion Process

I am a resident of Mesa Dunes Mobile Park. I have emailed you previously to state my support for the conversion process and my view that no new survey is called for.

What I did not mention in my previous correspondence--and what I have decided should be mentioned--is my deep concern about what is happening in the park community around this topic. Conversion is a Big Deal in all our lives, and differing points of view are to be expected. That's fine--good, even. What's not at all fine (or good) is that the current HOA has, for *months* now, been engaged in Very Loud efforts to intimidate residents with scare tactics, patently false "information," and name-calling.

Please understand that the current HOA does **not** represent all residents of Mesa Dunes. And that neither repetition nor volume make any statement true. I hope you have the time and resources to confirm/disprove assertions being hurled your way (including mine, here).

Thank you for your calm attention to this matter and for the work you do on behalf of the residents of SLO county.

Frances Royster
Mesa Dunes MHP



Fw: Mesa Dunes Resident

Board of Supervisors to: BOS_Legislative Assistants,
cr_board_clerk Clerk Recorder

02/03/2014 08:17 AM

Sent by: **Cytasha Campa**

On Feb 4 agenda

----- Forwarded by Cytasha Campa/BOS/COSLO on 02/03/2014 08:15 AM -----

From: David Lauderdale <laudy888@gmail.com>
To: boardofsups@co.slo.ca.us
Date: 02/02/2014 02:10 PM
Subject: Mesa Dunes Resident

I am emailing you to let you know i would like to have a new ballot survey, I am a new resident and hear alot of gossip from both sides.

I will be at the meeting on tuesday manly to edjucate myself for future input.

Thank you David Lauderdale



Fw: Mesa Dunes Appeal

Board of Supervisors to: BOS_Legislative Assistants,
cr_board_clerk Clerk Recorder

02/03/2014 08:18 AM

Sent by: **Cytasha Campa**

On Feb 4 agenda

----- Forwarded by Cytasha Campa/BOS/COSLO on 02/03/2014 08:17 AM -----

From: Susan Parkinson <sugarparkinson@gmail.com>
To: boardofsups@co.slo.ca.us
Date: 02/02/2014 07:54 PM
Subject: Mesa Dunes Appeal

My wife and I are Mesa Dunes homeowners. My wife's main concern is the lack of information over the price of the parcels. We have never been asked to state our opinion on a purchase of anything without price information. We would like to request the Board of Supervisors vote to require a new ballot "survey". The new survey needs to be approved by the "Mesa Dunes Homeowner Association" in advance of being mailed out and returned to an independent third party for a public opening and review just like a County Election.

Thank you for your time and attention to this important matter.

Gary & Susan Parkinson

Mesa Dunes Mobile Home Park



Fw: Request for another survey at Mesa Dunes Mobil Home Park

Board of Supervisors to: BOS_Legislative Assistants,
cr_board_clerk Clerk Recorder

02/03/2014 08:18 AM

Sent by: **Cytasha Campa**

On Feb 4 agenda

----- Forwarded by Cytasha Campa/BOS/COSLO on 02/03/2014 08:18 AM -----

From: John Elander <jr_elander@att.net>
To: "boardofsups@co.slo.ca.us" <boardofsups@co.slo.ca.us>
Date: 02/03/2014 01:46 AM
Subject: Request for another survey at Mesa Dunes Mobil Home Park

Greetings;

My wife Betty has lived at Mesa Dunes for over 35 years! I married her 10 years ago, and moved in with

her, and have thoroughly enjoyed living in this park.

One day this lady I was talking to, asked me what I thought of the "survey". I responded, "what survey"?

She told me the park had passed out a survey, something about purchasing our lots and she really didn't seem to understand it.

Now that we have looked into this considerably, we were amazed at the importance of this matter, and were quite offended that we had not received a survey!

We are totally against this "conversion", as it would only benefit the "park owners"!

Sincerely,

John & Betty Elander



Fw: MESA DUNES MOBILEHOME PARK CONVERSION

Board of Supervisors to: BOS_Legislative Assistants,
cr_board_clerk Clerk Recorder

02/03/2014 08:19 AM

Sent by: **Cytasha Campa**

On Feb 4 agenda

----- Forwarded by Cytasha Campa/BOS/COSLO on 02/03/2014 08:18 AM -----

From: Shari Bowman <shoyel-b@att.net>
To: "BoardofSups@co.slo.ca.us" <BoardofSups@co.slo.ca.us>
Date: 02/03/2014 08:14 AM
Subject: MESA DUNES MOBILEHOME PARK CONVERSION

We support the Conversion of the Mesa Dunes Mobilehome Park, and NO new survey. Please approve the Mesa Dunes Application now!

We are current residents of the Park, residing in space # 127. The owners, legal representatives and management have been up-front about the entire process, have kept us informed at every turn, and we feel it is a win-win situation for all residents.

Thank you for your consideration!

Shari and Myron Bowman



Fw: 2/4/14 BOS Hearing Mesa Dunes Conversion Application

Cytasha Campa to: BOS_Legislative Assistants, cr_board_clerk
Clerk Recorder

02/03/2014 08:20 AM

On Feb 4 agenda

Kindest regards,

Cytasha Campa

Board Secretary

Board of Supervisors

San Luis Obispo County

805-781-4335

----- Forwarded by Cytasha Campa/BOS/COSLO on 02/03/2014 08:20 AM -----

From: Airlin Singewald/Planning/COSLO
To: Cytasha Campa/BOS/COSLO@Wings
Date: 02/03/2014 08:16 AM
Subject: Fw: 2/4/14 BOS Hearing Mesa Dunes Conversion Application

Please submit this letter into the record.

Airlin Singewald
San Luis Obispo County
Department of Planning and Building
(805) 781-5198
asingewald@co.slo.ca.us

----- Forwarded by Airlin Singewald/Planning/COSLO on 02/03/2014 08:15 AM -----

From: William Constantine <wconstantinesantacruz@gmail.com>
To: asingewald@co.slo.ca.us, wmcdonald@co.slo.ca.us, Jeff McAlister <jcmcalister1@gmail.com>, Sharon McMahan <mcmahanse@att.net>, William Constantine <wconstantinesantacruz@gmail.com>
Date: 02/02/2014 10:11 PM
Subject: 2/4/14 BOS Hearing Mesa Dunes Conversion Application

Dear Mr. Singewald:

Please submit my attached letter into the administrative record of the BOS hearing (2/4/14) on the Park owner's appeal of the Planning Department's determination that the owner of Mesa Dunes MHP subdivision map application to convert the Park to a resident owned subdivision was incomplete.

Thank You, Will Constantine

William J. Constantine, Attorney

Fax: (831) 480-5934

E-mail: wconstantinesantacruz@gmail.com



WJC-to-Singewald-MesaDunes-02-3-14.pdf

William J. Constantine, Attorney

Fax: (831) 480-5934

E-mail: wconstantinesantacruz@gmail.com

February 3, 2014

Sent via E-mail (see list at end of letter)

Honorable Chairperson and Members of the
San Luis Obispo County Board of Supervisors
976 Osos Street
San Luis Obispo, CA 93408

Re: Proposed conversion of Mesa Dunes Estates Manufactured Home Park to a resident-owned condominium subdivision (**Item on agenda of 2/4/14 Board of Supervisors Meeting**)

Dear Hon. Members of the San Luis Obispo County Board of Supervisors:

The Mesa Dunes Homeowners' Association (the Association) has retained my office to represent them in responding to the proposed conversion of Mesa Dunes Manufactured Home Park in Arroyo Grande (the Park or Mesa Dunes). This letter is a follow-up to my letter of January 28, 2014, which partly replied to the Park owner's December 5, 2013 letter (the 12/5/13 Appeal Letter) challenging your Planning Department's determination that the Park owner's conversion application was incomplete for failing to contain a valid agreement with the Park's independent residents' association for conducting the resident support balloting, as is required by Government Code Section 66427.5(d)(2)¹. In that regard, the Park owner's appeal rests on five primary claims set out in the 12/5/13 Appeal Letter. However, those claims are strongly contradicted by even the Park owner's own evidence that his attorneys chose to include with that letter. Accordingly, although I apologize for the late submission of this letter, it is important that I summarize those contradictions below.

12/5/13 Appeal Letter Claim No.1: The letter claims the statute does not require a written agreement with the Association for conducting the resident support balloting. (See ¶ 2 on p. 3 of the 12/5/13 Appeal Letter.)

Response: Under California case law governing statutory interpretation, Government Code Section 66427.5(d)(2)'s requirement that the resident support balloting must be conducted in accordance with an agreement between the Park owner and the Association is required to be interpreted in a manner to further, rather than defeat, the purpose of that provision. The purpose of that provision is to ensure noncontroversial balloting, in which the ballot choices are clear and

¹. Unless otherwise indicated, all "Section" citations in this letter will be to the California Government Code.

San Luis Obispo County Board of Supervisors

February 3, 2004

page 2

for which the balloting procedures provide residents with sufficient time to reasonably educate themselves on those choices. The manner in which Mesa Dunes attempted to railroad their “verbal” agreement presents the paradigm circumstance of why that agreement must be in writing to avoid defeating that purpose of that section.

More important, the Association is a nonprofit California corporation, and, under California’s laws controlling the approval of agreements with corporations, such an agreement is required to be obtained under the procedures set out in that corporation’s bylaws. Here, the Association’s bylaws do not allow for a “verbal” agreement that was not obtained under the procedures that it mandates its board is required to follow to approve such agreements on behalf of the Association. (See my January 28, 2013 letter to Planning Department staff person Airlin Singewald on this issue)

Moreover, the Park owner’s law firm certainly knows that such a written agreement is required, as I have repeatedly obtained those written agreements in prior proposed conversions that they have attempted to pursue for other park owners. For example, in four previous conversions in which they originally sent out their boilerplate “five response” surveys, which were almost exact copies of their Mesa Dunes survey, my office contacted them, demanded a new survey under a required written survey/ balloting agreement, and then their clients complied and entered into the required written agreements and subsequently conducted a lawful balloting process. Those conversions were:

Palo Mobile Estates MHP in East Palo Alto,
Alimur MHP in the unincorporated area of Santa Cruz County,
Country MHP in Santa Rosa and
Sequoia Gardens MHP in the unincorporated area of Sonoma County.

Mesa Dunes is the first conversion that I am aware of in which the attorneys representing Mesa Dunes have now attempted to claim that a residents’ association verbally agreed to the form of the survey rather than properly entering into a written agreement with the association. In that regard, after Mesa Dune’s attorneys sent out their same boilerplate “five response surveys” to the residents of Mesa Dunes, without first obtaining the written agreement with the resident association, I then, on July 26, 2013, sent a letter to Richard Close informing him that the Park owner’s June 24, 2013 survey was unlawful because it was not conducted under a legitimate agreement with the Association. With that letter, I included the same written agreement and resident support ballot that his firm’s previous park owner clients had agreed to in all four of the above prior conversion proceedings. My letter then informed Mr. Close that the Association was willing to enter into that same agreement and would then urge all of their members to participate in a new resident support ballot, but the Park owner refused to take up that offer.

12/5/13 Appeal Letter Claim No. 2: The letter claims that the Association’s board members did not “claim” that “they did not fully appreciate what they had just agreed to do...until after the

Agenda Item No: 19 • Meeting Date: February 4, 2014
Presented by: Will Constantine
Rec'd prior to the meeting & posted on: February 3, 2014

results of the survey were received.” [*See* Close’s 12/5/13 letter (*presumably referring to the declarations of several of the Association’s board members stating that, when they met with Mr. Close and Susy Forbath on June 18, 2013 to discuss the survey, that they had not yet learned, and were not at that time told by the Park owner’s representatives, that they had the statutory right to insist on changes to the Park owner’s survey, that the survey was required to be conducted as a ballot and that the Park owner was required to get a formal agreement with them for conducting the resident support balloting*)].

Response: The Exhibits attached to the 12/5/13 Appeal Letter are fatal to that claim, since its Exhibit 2 is the cover letter that was sent out with the Park owner’s survey, and it shows that the survey was conducted between June 24, 2013 and July 10, 2013. However, its Exhibit 3 then contains an e-mail from the Association’s president, Sharon McMahan, to SLO County Planning Department staff person Ted Bench (dated June 21, 2013 at 9:21 A.M.), which shows that **it was three days before the survey began and more than a month before the results of the survey were announced** when the Association first complained to the County that they had not been informed, nor had they known, that they had a statutory right to make changes to the survey when several of its board members reviewed it and offered comments on it to Ms. Forbath and Mr. Close on June 18, 2013:

“The HOA board did meet with her (*referring to Mr. Close’s paralegal Susy Forbath*) on Tuesday (*referring to Mr. Close’s and Ms. Forbath’s June 18, 2013 meeting with the board*) morning and we were shown a survey that she said would be sent out on Monday . **We did not get to keep a copy of it, nor did we have any input in it.** My only comment on it was that we needed more than 10 days for everyone to consider it and he’d agreed that we would have two weeks to return the surveys.

I wish we had understood that we could have made changes to the survey itself.”

Accordingly, the 12/5/13 Appeal Letter’s Claim No 2 is groundless, since its own Exhibits show that Ms. McMahan, the president of the board, communicated the board’s objections about the manner in which the June 18, 2013 meeting was conducted many weeks before the survey’s results were made public to (i.e., “received” by) the Association or others.

12/5/13 Appeal Letter Claim No. 3: The letter claims that “Mr. Constantine and his client are caught in the lie” that the board did not understand that they had a say in the wording of the written ballots and the conducting of the survey. (i.e., it is implying that the Board did understand that they had a say in that wording when they met with Mr. Close and Ms. Forbath on June 18, 2013). (See ¶ 5 on p. 3 of 12/5/13 Appeal letter.) The Appeal Letter then quotes Sharon McMahan’s above statement in an attempt to support that claim.

Response: The 12/5/13 appeal letter fatally refutes itself on that claim, since it admits that Ms. McMahan’s statement was presented by Will Constantine Rec’d prior to the meeting & posted on: February 3, 2014

McMahan made that statement “on June 21”--“**three days after** the board reviewed the survey” with Mr. Close and Ms. Forbath (*on June 18*) and before Ms. McMahan received Ms. Forbath’s confirming letter later that day (*June 21*), and that McMahan’s e-mail stated: “**I wish we had understood that we could have made changes to the survey itself** (*i.e., clearly stating that the Board wished that they had known this when they had met with Mr. Close and Ms. Forbath to review the Survey on June 18*).

Accordingly, The Appeal Letter’s Claim No 3 is absurd, since it admits that it was **three days after** Ms. Forbath’s 18, 2013 meeting with the Board that Ms. McMahan stated that the board did not learn that they could make changes to the survey itself until **after** that June 18, 2013 meeting.²

12/5/13 Appeal Letter Claim No. 4: The letter also claims that the board then ratified the survey, shown to them on June 18, 2013, by not objecting to Susy Forbath’s subsequent June 21, 2013 letter’s statement “that the board was able to approve of it” at that time. (*See ¶ 4 on p. 2 of 12/5/13 Appeal Letter*)

Response: Again, as explained above, the 12/5/13 Appeal Letter fatally refutes itself on this conclusion because it admits **that on that very day, June 21, 2013**, Ms. McMahan complained to the County that, during the June 18, 2013 meeting, that the board did not have any real input into the park’s survey, that they did not understand that they had the right to make changes to it and that they were not even allowed to keep a copy of it. Mr. Close’s law firm is playing a lawyer’s trick to send a letter, stating what it claims to be fact, to **unrepresented (i.e., unrepresented by legal counsel)** individuals and then to claim that the letter contractually binds them to that statement of fact, if they do not immediately respond back and refute it. However, that claim is simply not supported by California contract law. Obviously, the Association’s board was not agreeing with Ms. Forbath’s carefully worded “trap letter,” because, on that very same day, their president had sent an e-mail to the County complaining that, when they were

² Mr. Close tries to confuse this issue by claiming that Mr. Constantine claims it was not until several weeks after the survey had been conducted that the board understood that they “had a say” in the wording of the written ballots and the conduct of the balloting. That is a red herring, because the key issue is that, on the day that Mr. Close and paralegal Susy Forbath met with the board and showed them the survey (June 18, 2013) the board did not know that they had a right to have input into the wording of the survey and could make changes to the survey itself, and Mr. Close admits that they did not discover that until June 21, 2013, three days later. Mr. Constantine’s November 6, 2013 letter to the County, which Mr. Close refers to, does not reference that date, but it is, nevertheless, also accurate because it was not until several weeks after the survey was conducted that the Board then also learned that resident support was required to be demonstrated through a resident support “written ballot” and that they had the right to have a say in its wording, which refers to a different statutory requirement, *Government Code Section 66427.5(d)(3), rather than (d)(2).*

shown the survey and asked for their opinion on it (on June 18, 2013), that they had not been told, and had not known, that they had a statutory right to make changes to it or even to keep a copy of it. The fact that they considered it to be a waste of their time to communicate this to Ms. Forbath or to Mr. Close and, instead, complained to the County does not establish the truth of the facts asserted in her letter and, thereby, create a binding agreement for conducting the survey.³

12/5/13 Appeal Letter Claim No. 5: The letter also argues that the board is falsely claiming that they were told, during the Park owner's June 18 meeting with them, and then believed that "the survey did not mean anything." It likewise claims that Mesa Dunes did not represent that the survey was unimportant, because it held several meetings to inform the residents about the conversion. (See ¶¶ 2 and 3 on p. 4 of 12/5/13 Appeal Letter.)

Response: That claim is contradicted by their law firm's own public statements: particularly it is contradicted by statements that its paralegal, Ms. Forbath, made to the board members who attended her June 18, 2013 meeting with the board and also by what she had stated to all of the residents of the Park at the two June 17, 2013 park-wide meetings that she conducted regarding the conversion. At all three of these meetings, Ms. Forbath told both the board members who attended and the two park-wide audiences that the survey was just a formality and that it did not mean anything, and she hid from them its true importance, of its actually providing their only opportunity to stop the conversion. For example, one of the board members who attended Ms. Forbath's and Mr. Close's June 18, 2013 meeting reported that Ms. Forbath stated the following to the board members at that meeting:

"On June 18, 2013, six other Board members and I attended this meeting with Ms. Forbath. However, she never showed us a 'written ballot' of resident support for us to review and approve. Instead, she passed out a document entitled 'Survey of Residents' **and told us that 'this survey is something that is required by the state, that it is just a formality and that it did not mean anything.'** She told us that 'no one would probably see the individual surveys,' that 'just totals would be reported' and that people 'could respond if they wanted as it was not expected that everyone would send it in' and that they usually get a very low response rate to the survey. She then told us that the reason for the second page of the survey was to use it to determine 'if people needed financial assistance,' so they would know 'where to put the available financial assistance' and 'who needed to be helped

³ The 12/5/13 Appeal Letter makes this same claim regarding the Park owner's June 24, 2013 cover letter to the survey, in which Ms. Forbath states that the "form and conduct of the survey had been approved by the Board of Directors of the Mesa Dunes Homeowners Association," by again claiming that, since the board did not immediately respond back to Ms. Forbath that they disagreed with that statement, that it established a binding agreement with them regarding the survey. For the same reasons that relate to Ms. Forbath's June 21, 2013 letter, that claim is also groundless.

out.’ **She repeatedly downplayed the survey’s importance and told us that it was just something that had to be done so the process can move forward and that they would just use the information to try to help us out.** (See ¶ 5 p1 and ¶ 1 p 2 of September 30, 2013 Gail Maggio letter to the County; also see confirming statements by the other board members at that meeting at ¶ 4 p 3 of September 27, 2013 Dennis Farrell letter; ¶ 2 p 3 of September 24, 2013. Danny Daniel letter, and ¶ 4 p 2 of October 2, 2013 Gerald Schmidt letter.)

Likewise, Ms Forbath made the same statement to all of the residents of the Park who attended the Park owner’s two park-wide resident meetings. In fact, the cover letter that Mr. Close’s law firm sent out with the Park owner’s resident survey also informed all of the residents participating in the survey that “it did not mean anything” by stating that the survey results would “merely provide a preliminary indicator of interest” and that responding favorably to the conversion in the survey would not be making a “decision with respect to change of ownership.” It repeated that rather than informing them that they were, in fact, voting to make an irrevocable decision with respect to the change of ownership of their lots. These are the reasons that over half of the homeowners, who had participated in the survey, signed written statements explaining that they were “fraudulently induced to participating in a survey” and that they believed that it was an “illegitimate and unlawful survey” because of the manner in which it was conducted and worded.

For these reasons, the Park owner’s 12/5/13 Appeal Letter’s appeal of your Planning Department’s determination that the conversion application was incomplete is groundless and should be denied.

Please feel free to contact me if you have any questions or need further documentation.

Sincerely,
/S/
William J Constantine

c: Frank Mecham - fmecham@co.slo.ca.us
Bruce Gibson - bgibson@co.slo.ca.us
Adam Hill - ahill@co.slo.ca.us
Caren Ray - cray@co.slo.ca.us
Debbie Arnold - darnold@co.slo.ca.us
asingewald@co.slo.ca.us
client
wmcdonald@co.slo.ca.us



Fw: MESA DUNES MOBILEHOME PARK CONVERSION

Board of Supervisors to: BOS_Legislative Assistants,
cr_board_clerk Clerk Recorder

02/03/2014 08:51 AM

Sent by: **Jocelyn Brennan**

----- Forwarded by Jocelyn Brennan/BOS/COSLO on 02/03/2014 08:51 AM -----

From: Shari Bowman <shoyel-b@att.net>
To: "BoardofSups@co.slo.ca.us" <BoardofSups@co.slo.ca.us>
Date: 02/03/2014 08:14 AM
Subject: MESA DUNES MOBILEHOME PARK CONVERSION

We support the Conversion of the Mesa Dunes Mobilehome Park, and NO new survey. Please approve the Mesa Dunes Application now!

We are current residents of the Park, residing in space # 127. The owners, legal representatives and management have been up-front about the entire process, have kept us informed at every turn, and we feel it is a win-win situation for all residents.

Thank you for your consideration!

Shari and Myron Bowman

Arroyo Grande



Fw: Mesa Dunes Homeowner Letter to the Board of Supervisors for 2-4-2014 meeting

Board of Supervisors to: Adam Hill, Bruce Gibson, Caren Ray,
Cherie McKee, Debbie Arnold,
Elizabeth Ruth, Frank Mecham,
Sent by: **Jocelyn Brennan**

02/03/2014 09:17 AM

----- Forwarded by Jocelyn Brennan/BOS/COSLO on 02/03/2014 09:15 AM -----

From: Ronna Roberts <ronnaroberts@hotmail.com>
To: "BoardofSups@co.slo.ca.us" <boardofsups@co.slo.ca.us>, "jcmcalister1@gmail.com" <jcmcalister1@gmail.com>
Date: 02/03/2014 09:13 AM
Subject: Mesa Dunes Homeowner Letter to the Board of Supervisors for 2-4-2014 meeting

I am a resident of Mesa Dunes and have attached a letter for the Board of Supervisors to review before the 1300hrs meeting with all concerned parties. I have a professional commitment out of town tomorrow, but can answers any questions later this afternoon or Wednesday (2-5-14)) Thank you for your consideration and the "other side" of this issue. Ronna, RN



Mesa Dunes Conversion Letter.docx

February 3, 2014

Board of Supervisors
SLO County Government Center
1055 Monterey Street
San Luis Obispo, CA

**Re: CONVERSION AND POSSIBLE FRAUDULENT SURVEY COMPLETED BY OWNERS TOM FLESH AND
MICHAEL FLESCHE, ATTORNEYS-AT-LAW**

MESA DUNES MOBILE HOME ESTATES, LLC

Dear San Luis Obispo Board of Supervisors:

My letter will pertain to the conversion, but read the truth in my statements and you will understand how the two (2) owner-attorneys show little regard for the welfare of any Mesa Dune residents. This is ONE example to show the Board of Supervisors why the residents of Mesa Dunes deserve a NEW survey of the park. The "survey" was completed by these attorneys without **TRANSPERANCY** to the residents, which is (in my professional experience is common practice with most attorneys), much to the detriment and sustained disregard for all residents of this park.

I am a registered nurse (RN) and a public health nurse (PHN) with graduate level education and training professionally in my field for many years. Additionally, I am mandated by the State of California, by virtue of professional licensure as a MANDATED REPORTER. The attorneys that own Mesa Dunes Mobile Home Estates have an "option" for low-income residents to complete paperwork "requesting" that their monthly space rents are decreased (EACH YEAR, SPACE RENTS INCREASE 10%; WHETHER YOU CAN AFFORD IT OR NOT FOR EVERY RESIDENT).

One of the residents in the Park in Space 202 (Mona Jean Kelly) is 84 years old and lost her husband 29 months ago. She will be 85 in July 2014. This lady LIVES ON LESS THEN \$1400.00 PER MONTH social security income; THE SPACE RENT IS CLOSING IN AT \$1000.00 PER MONTH FOR THIS ELDERLY LADY, AND THIS IS INCREASED EVERY 12 MONTHS. Ms. Kelly has no other options financially. None.

Ms. Kelly requested in NOVEMBER 2013 the "packet of paperwork" from the two attorneys and I helped Ms. Kelly fill the paperwork out and submitted this last year for some type of rent reduction, AS PROMISED FROM THE TWO OWNER-ATTORNEYS as evidenced by virtue of the "paperwork" sent from their offices in southern California. Ms. Kelly has called the owner-attorney offices AT LEAST 5 TIMES SINCE LAST NOVEMBER, WITH NO RESPONSE FROM EITHER OF THESE OWNERS, or their staff, if they will "GRANT" some type of rent reduction. The PROMISES the attorney-owners make to the residents of this

park seem to be based in UNTRUTHS. Ms. Kelly is one example of the treatment of residents in this park. Please note, the attorney-owners have neither denied nor approved the application; but no response for a period of four (4) months is an answer unto itself.

California law is quite explicit in regards to Elder Abuse, which is basically defined below. PLEASE NOTE, THAT THE TWO ATTORNEY-OWNERS WILL FLUSH AWAY HUMAN LIFE IN REGARDS TO THE WELFARE OF THE ELDERLY IN THEIR PARK; A FEW HUNDREDS DOLLARS RENT DECREASE MONTHLY FOR ONE 84 YEAR OLD LADY WILL KEEP THE MONEY IN THEIR POCKET. IMAGINE THAT.

STRETCH THIS THOUGHT FURTHER, BOARD OF SUPERVISORS, AND YOU CAN UNDERSTAND WHY THE MAJORITY OF HOMEOWNERS IN MESA DUNES ARE REQUESTING ANOTHER SURVEY. THERE HAS BEEN NO TRANSPERANCY BY THE ATTORNEY-OWNERS. IF THEY WILL NOT RESPOND TO THE NEEDS OF AN 84 YEAR OLD WIDOW, THEY WILL LISTEN TO NO ONE.

The definition of financial abuse models the classic structure of a penal provision by requiring a bad act performed in a manner that strongly suggest that the conduct was performed with a culpable state of mind. The conduct element is described by five verbs: TAKING, SECRETING, APPROPRIATING, OBTAINING AND RETAINING. The expansive meaning of these words, particularly taking and obtaining, suggest that just about any means of acquiring an interest in the elder's property will satisfy this element. The intent of element may be satisfied in one of three ways:

1. By taking the property of an elder (1) for wrongful use, (2) with the intent to defraud, or (3) by undue influence (promises of rent reduction if "qualified" so an elder can afford groceries).

Taking property for "wrongful use" is further defined and means taking property where the abuser "knew or should have known that this conduct is likely to be harmful to the elder". The phrase "knew or should have known" provides both a subjective and an objective standard by which to measure the abuser's intent: subjective where the abuser actually recognized that harm would result; objective where the abuser did not recognize the potential for harm but a REASONABLE PERSON certainly would have. The term harmful is also quite broad and suggests not merely that some undesirable result might occur but that a harmful consequence was substantially likely to occur.

It is important to appreciate that this new standard; "taking" the property of an elder where the wrong-doer knew or should have known that doing so would harm the elder is a revolutionary departure from traditional legal principles. The new definition of "wrongful use" now creates a duty to TREAT ELDERS FAIRLY; where the terms of a transaction fall below this standard of "care" (rent reduction for the elderly on fixed incomes if offered by the owner-attorneys) the beneficiary of the transaction MAY BE HELD LIABLE FOR FINANCIAL ABUSE DAMAGES. This new definition is particularly important because the wrongful "taking" of an elder's property is often accomplished through transfers relating to some type of transaction (Mesa Dunes Conversion, promise of rent reduction for the poor, et al). It may be up to a jury to determine and decide whether the transaction was unreasonable and/or fair.

Broadly stated, the two owner-attorneys have not communicated with Ms. Kelly and her request for rent reduction. THE TOTAL DISREGARD FOR AN ELDER IN THEIR PARK THAT CANNOT AFFORD TO BUY GROCERIES BECAUSE THEY MAY WANT THE FEW HUNDRED DOLLARS LINING THEIR POCKETS, as I watch Ms. Kelly go to her mailbox every day and state "maybe they sent me an answer....."; additionally, THIS 84 YEAR OLD WIDOW GETS \$27.00 A MONTH FOR FOOD STAMPS. (Thanks, State of California).

Thus the essence of financial abuse is the community's assessment of whether the transaction meets the most basic measure of fairness or whether it is exploitive as defined in the Welfare and Institutions Code §15657.7which defines.....elements of fraud, misrepresentation.....the wrongdoer (two attorney-owners) often enhances the elder's vulnerability by encouraging the elder's fear of IMPOVERISHMENT AND EXPLOITS THE ELDER'S LACK OF UNDERSTANDING LEGAL AND FINANCIAL MATTERS.

Abuse is defined in the California Penal Code 368; occurs when any person who, under circumstances or conditions likely to produce.....any elder.....to suffer, or inflicts thereon unjustifiable....mental suffering....or willfully causes or permits the health....of the elder to be injured....or willfully causes the elder....to be placed in a situation in which.....her person or health is endangered....resulting in physical harm (not enough money for FOOD)....and mental suffering (BY VIRTUE OF PROMISING RENT REDUCTION) which means Ms. Kelly can remain in her home until she dies....

NEGLECT under California Penal Code 156.57 also states neglect asFAILURE TO PREVENT MALNUTRITION OR DEHYDRATION.....

In closing, I am requesting a **NEW SURVEY** be granted for ALL residents of the mobile home park. Not ONE PERSON ever saw ANY SURVEYOR, THEIR EQUIPMENT, and OR PERSONNEL DO ANY TYPE OF SURVEY IN THIS PARK. WHY? **WHERE IS THE TRANSPERANCY FOR ALL RESIDENTS? IF THE OWNER-ATTORNEYS CONTINUE TO ALLOW FINANCIAL GAIN OVER FOOD FOR ELDERLY RESIDENTS, WHY WOULD THEY TELL THE TRUTH IN REGARDS TO THEIR FINANCIAL STAKE IN THIS CONVERSION?**

As a registered nurse, I am ready to push this issue of Ms. Kelly into the media and to our state legislature regarding the two owner-attorneys and their inability to reason with "common folks". It would be interesting to determine how a jury might see this situation when the 84 year old resident gets on the witness stand and states she has NO MONEY FOR FOOD, because (of course), it needs to line the pockets of the two owner-attorneys involved in this conversion. Side note: Mrs. Kelly HAS NO LIVING RELATIVES, ONLY ONE NIECE LIVING 8 HOURS AWAY.

This conversion process has been like watching two nervous vultures, chained to the carcass of their dead, arguing culinary details of missing anatomy. Please listen to the requests of the homeowners, Board of Supervisors. Please do not be influenced by the two-attorney owners and the legal mumbo-jumbo that is the current issue. It appears that meaningful conversation with the attorney-owners of Mesa Dunes Mobile Home Park is not only impossible, it is necromancy: full of smoke, mirrors, and distractions.

Why should it be so difficult for the owner-attorneys to allow ANOTHER SURVEY? Well, common sense and my professional judgment tells me that the owner-attorneys **WANT TO KEEP EVERYTHING HIDDEN FROM VIEW, NO DISCLOSURE, "SURVEY COMPLETED" AND YOU HOMEOWNER MUST BELIEVE THAT THIS WAS DONE THE RIGHT WAY THE FIRST TIME WITH NO TRANSPERENCY.** If you must fight to keep something hidden, as the owner-attorneys have been doing for the last year??? Just grant a new survey owner-attorneys; end of the conversation. It is as simple as that and this conversion can move forward. But, as any person who has money \$\$\$ knows.....maybe the owner-attorneys are ready to retire and each and every resident of Mesa Dunes are in line to make sure that they get their wish- on the BACKS OF COMMON WORKING PEOPLE for the benefit of the two attorneys who are SO ANXIOUS TO KEEP EVERYTHING ABOUT THE FIRST SURVEY HIDDEN FROM PUBLIC VIEW.....and retire well on the little old ladies that cannot afford to buy groceries or pay their bills.

Remember **BOARD OF SUPERVISORS**, the owner-attorneys of Mesa Dunes has the ability to decrease rent for the elderly or very poor. If the **total disregard** for Ms. Kelly's needs in this park remotely resembles how this CONVERSION has moved forward by virtue of NO TRANSPERANCY is an indicator, then none of us poor folks on the hill stand a chance....

Professional Regards,

SIGNED ELECTRONICALLY BY RONNA M. ROBERTS, RN

ORIGINAL SIGNED COPY TO BE HAND-CARRIED BY JEFF McALISTER TO THE BOARD OF SUPERVISORS MEETING ON 2-14-2013

Ronna M. Roberts, RN, MSN, PHN, CPUR, CPHM

ronnaroberts@hotmail.com

http://www.ioaging.org/File%20Library/Abuse/CivilCriminalResourceGuide_0512.pdf

<http://www.centeronelderabuse.org/docs/CaliforniaStateDefinitions.pdf>